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**From:** FEDweek Weekly Newsletter  
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**Wednesday, May 25, 2016**

**All Federal Employees Register Now!**

**In Case You Missed It. Most Widely Read News Item**

**Higher Buyout Maximum Proposed**

The Obama administration has proposed boosting the maximum buyout payment for federal employees to \$40,000, saying that the \$25,000 maximum in effect since the first buyouts began is no longer a sufficient incentive. More details at <http://www.fedweek.com/fedweek/higher-buyout-maximum-proposed/>

**Senate Bill Would Boost Buyout Amount at DoD**

The Senate is set to vote this week on an annual defense budget bill (S-2943) that would increase the maximum buyout payment at DoD to \$40,000 from the \$25,000 level in effect since the government first started offering buyouts in the early 1990s. More at <http://www.fedweek.com/fedweek/senate-bill-boost-buyout-amount-dod/>

**No Paid Parental Leave, but Other Changes Backed**

The DoD also had asked for a government-wide authority for six weeks of paid parental leave for federal employees but the Senate bill effectively rejects that by remaining silent, as did the House bill. Continue reading <http://www.fedweek.com/fedweek/no-paid-parental-leave-changes-backed/>

**Spending Bill Effectively Allows Raise**

House appropriators have remained silent regarding a January 2017 federal pay raise in the first draft of

the annual spending bill that typically determines a raise amount, effectively allowing one to be paid by default once again. Under federal pay law, if Congress does not legislate a figure by the end of the year, the White House's "alternative" raise recommendation—alternative to the much larger raise that the underlying law would provide—takes effect by default. Congress has followed that strategy for three years in a row, and there has been no indication of interest there in breaking that pattern and actively taking up the issue. Even proponents of a higher figure—some members have proposed the 5.3 percent advocated by some employee unions—have not pushed for a vote on setting a raise, partly out of concern that such a move could backfire and result in denial of any raise. The bill does specify that political appointees and political senior executives would not receive any raise that is paid; under a separate spending bill, pay also would be frozen for members of Congress.

#### **Raise Figure Probably Will Be 1.6 Percent**

President Obama earlier this year recommended a 1.6 percent raise for next January and there is strong precedent for him endorsing that figure again when announcing the "alternative" figure, which typically comes in a late-August message to Congress: he has stuck with his original recommendation in each of the last three years in the same situation. One wrinkle this time is that the House has backed a 2.1 percent raise for military personnel; the military raise in many past years has served as a marker for later action on the federal employee raise in the name of pay parity. However, the Senate version of the defense budget endorses the White House's recommendation for 1.6 percent for military personnel, and the White House objected to increasing the number in its comments on the House bill. A raise of 1.6 percent likely would be paid in two components, part across the board with the funds for the remainder divided up and paid in varying amounts by locality. That would yield raises ranging from slightly below to slightly above 1.6 percent, assuming that is the figure. For the 2016 raise, for example, a 1.3 percent increase was paid as 1 percentage point across the board and locality pay varying from 0.17 to 0.46 percent. Whether to divide a raise, and how, also would be up to the White House in this scenario.

#### **FSA Claims Blackout Period Announced**

The FSAFEDS flexible spending account program will not accept claims submissions during the month of August as the program transitions to a new provider, OPM has announced. In addition, during that month the program will not accept new enrollments—new enrollments outside the annual fall open season generally are not allowed in any event. The deadline to submit electronic claims before the blackout period will be 4 p.m. Eastern time on July 29; that also will apply to claims submitted by fax and to paperless reimbursement claims coming directly from providers. Claims sent by mail must be postmarked by July 20. All approved claims submitted by those deadlines will be paid by August 8, and claims will again be accepted beginning September 1. The phone and fax numbers will remain the same after the transition as will the website, although the site will be offline August 26-September 1, and only a recorded message will be provided on the phone number during that period.

#### **Several VA Bills Advance**

The House has approved HR-4974, a budget bill for VA including a provision barring performance awards to senior executives there, a provision the Obama administration opposes, although it did not threaten a veto because of it. The Senate further has passed HR-2577, a separate VA spending bill, which among other things would strengthen protections for VA whistleblowers and require discipline, including mandatory firing on a second offense, of those who retaliate against them; similar language is in S-2921. Also, the House Veterans Affairs Committee has passed HR-4138, to allow the VA to claw back relocation incentive payments already paid to employees, subject to challenge only through an internal hearing, at the department's discretion. The full House already has passed HR-280, setting a similar policy for awards already paid. The measures are aimed at situations where misconduct during the pertinent time is discovered later.

#### **Expert's View: Annual Leave Credit for Non-federal or Armed Forces Experience**

Non-federal work or armed forces experience can, in some cases, be counted toward passing thresholds of years of service after which annual leave accrual rates increase, writes benefits expert Reg Jones. You'll find his column at <http://www.fedweek.com/news/reg-jones-experts-view/>

#### **Guidance Issued on Confidentiality in Wellness Programs**

The EEOC has issued final rules on how the Americans with Disabilities Act and the Genetic Information

Nondiscrimination Act apply to wellness programs offered by employers, including federal agencies, that request health information from employees and their spouses. For a closer look, go to <http://www.fedweek.com/reports>.

#### **Time Limit on Federal Employee Bias Suits Clarified**

A U.S. Supreme Court decision has clarified the time limits for federal employees to sue their agencies under the Civil Rights Act for discrimination or retaliation. The court noted that under the law, before filing such a suit employees must "initiate contact" with an EEO counselor at their agency "within 45 days of the date of the matter alleged to be discriminatory." In firings, the period begins as of the date of discharge, the court noted, but lower courts were divided regarding a resignation in the face of what the employee believes to be an intolerable situation—a so-called constructive discharge. In this case, involving a postal employee, an appeals court had held that the period began as of the date the employee agreed to retire instead of accept an unwanted transfer; the retirement was effective three months later. It said he failed to contact the EEO office within 45 days of that date and thus dismissed the case. However, the high court agreed with several courts that had ruled in other cases that the period in such circumstances begins when the employee actually separates.

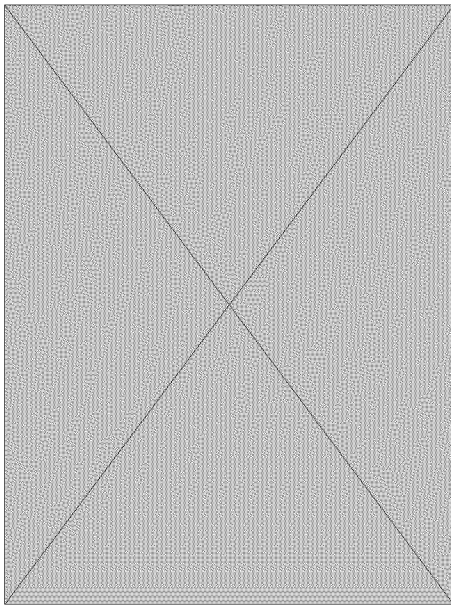
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This brand new 2017 FERS planning guide simplifies the retirement planning process, helping you calculate your annuity (with plenty of examples), warn you about possible reductions in your annuity, tell you how Social Security fits into the picture, and what to do about health and life insurance. In short, they contain everything you need to know to make your federal retirement a success.

Our 2017 FERS Retirement Planning Guide was written and edited by our veteran-team of federal retirement planning experts in the field with over 49 years experience.

**Here are some of the key features and updates in this all-new Retirement Planning Guide:**

- Eligibility Requirements to Retire
- How to Compute Your Retirement Benefits
- CSRS Components and Potential Reductions in Annuity
- Cost of Living Adjustments (COLAs)
- Social Security Benefits
- Thrift Savings Plan
- FEHB, Federal Dental & Vision Program
- Medicare, Life Insurance, Long-Term Care Insurance
- Buyouts, Workers' Compensation
- Retirement Misenrollments, Common Errors and Self Identification Test
- How to Plan for Your Retirement
- The Application Process
- Taxes in Retirement: Federal and State Taxes
- Survivor Benefits, Spousal Annuities, Children Annuities
- Early Retirement: Early-Out, Will You and Should You Take the Offer?
- Leaving Before Retirement Eligibility: All Your Options
- Going Back to Work for the Government
- Life Events in Retirement: Moving, Divorce, Marry, Have Children, etc.
- Questions and Answers Section
- Useful Phone Numbers, Addresses and Other Services

**More of what this all-new guide includes...**

1. **Eligibility Requirements to Retire**
2. **How to Compute Your Retirement Benefits**
3. **If You Have a CSRS Component in Your Annuity**
4. **Credit for Military Service**
5. **Potential Reductions in Annuity**
6. **Cost of Living Adjustments (COLAs)**
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8. **The Thrift Savings Plan (TSP)**
9. **Other Benefits**
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11. **Planning for Retirement**
12. **The Application Process**
13. **Taxes**
14. **Survivor Benefits**
15. **Early Retirement**

16. Leaving Before Retirement Eligibility
17. Going Back to Work for the Government
18. Life Events in Retirement
19. Questions and Answers
20. Useful Phone Numbers, Addresses and Other Services

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